

Repair Reporter



CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

FALL 1999

Automotive Repair Conference Results in Recruitment Poster, Public Information Materials

A recruitment poster and consumer information materials are just two of the positive and concrete results following an Automotive Repair Leadership conference held in September 1998 in Anaheim. Spearheaded by BAR, the national conference, "Automotive Repair Leadership 2000: Strategies for Success," provided the forum for industry leadership, government representatives, and consumer advocates to forge action plans to

address today's problems and prepare the industry to meet tomorrow's needs.

"We remain committed to working jointly with the industry and consumers to address industry needs as well as consumer concerns," said BAR Acting Chief Patrick Dorais.

During the conference, several task forces were formed to undertake a ten-year process of creating more

(See **Conference** page 6.)

Governor Proclaims October 27 Automotive Career Education Day

Recognizing the need to bring young adults into the potentially lucrative field of automotive repair, Governor Davis proclaimed October 27, 1999, as "Automotive Career Education Day" in California.

"Californians should know that well-paying, high-tech career opportunities exist at automotive repair businesses throughout the state, not just in the Silicon Valley," said California Department of Consumer Affairs Director Kathleen Hamilton. "With the average late-model car containing more on-board computerization than the Apollo missions to the moon, I would strongly encourage today's student interested in a hands-on, high-tech career to consider automotive repair."



Automotive repair service is a \$13 billion a year industry in California, employing about 300,000 individuals at more than 33,000 automotive repair businesses. Nationwide, the automotive repair industry — including automotive service, collision repair, and heavy duty

(See **Governor** page 6.)

Get Registered or Get Out of Business! BAR Cracks Down on Illegal Activity

The Bureau of Automotive Repair's Unlicensed Activity Unit (UAU) issued thousands of warning letters last fiscal year, informing illegal automotive repair businesses to either get registered or get out of business. Any person or facility operating a repair business is required to have an Automotive Repair Dealer (ARD) registration issued by the Department of Consumer Affairs/Bureau of Automotive Repair (Business and Professions Code section 9884.6).

"The automotive repair industry has been extremely helpful in locating unregistered repair businesses," said Mike Grottgau, Manager of BAR's UAU. "You have been our eyes and ears throughout the state, not just for the UAU, but ultimately for the consumer."

The UAU has increased proactive enforcement by aggressively locating individuals operating without an ARD registration. Last fiscal year, the UAU located and licensed 1,431 individuals and businesses, issued more than 4,100 Warning and/or Cease and Desist letters, and opened 628 formal investigations that resulted in registrations or in citations being issued.

The UAU welcomes tips on unregistered repair facilities. Tip forms are available at all field offices. You may mail the tip form to the Department of Consumer Affairs, Enforcement Division, Unlicensed Activity Unit, 10220 Systems Parkway, Suite B, Sacramento, CA 95827-3009, or fax it to 916-255-4482. ■

BAR Reaffirms Commitment to Communicate With Auto Repair Industry

In a recent letter to Tom Riley, then-Legislative Advocate for the California Automotive Service Councils (ASC), Acting Chief Patrick Dorais reaffirmed BAR's commitment to partnership and communication with the auto repair industry.

"BAR has not initiated any plans to decrease its communication with the automotive industry," Dorais said. "Likewise, there are no plans to dissolve leadership meetings between the Bureau and the industry."

Dorais wrote the letter to Riley prior to a meeting to discuss ASC member concerns and during a preview of a planned article for ASC's monthly publication, *The California Independent*. In that article, which subsequently appeared in the September issue, Riley said that communication had decreased and enforcement had increased.

Dorais said in his letter that general automotive investigations by BAR had been relatively stable over the last year. He also pointed out that during the early summer, various industry leaders met on multiple occasions with Department of Consumer Affairs Director Kathleen Hamilton and BAR leadership regarding industry concerns with the Budget Act trailer bill (Assembly Bill 1105).

While formal, scheduled meetings are relatively rare during fast-paced budget negotiations, numerous impromptu meetings with auto repair industry members were held. As a result, the industry played a significant role in reversing what began as a proposal by the budget conference committee to mandatorily exempt 80 percent of the vehicles currently requiring a Smog Check inspection.

"I am always open to discussions..."

Acting BAR Chief
Patrick Dorais

Dorais added that meetings with industry leadership are typically suspended when budget negotiations gear up and resume in the fall after the legislative session is completed and that the tradition will continue. Dorais and other officials at BAR have met or been involved in ongoing discussions with various industry representatives this fall regarding a host of issues of concern to the industry.

"I am always open to discussions with you and ASC," he added. ■

Stopping Scams

Charges Filed Against Brake Depot

In the largest legal action ever taken against brake repair fraud in San Diego, the Bureau of Automotive Repair filed charges in July 1999 seeking to permanently close the doors of 17 company-owned California locations of Brake Depot, Inc., 15 of which are located in San Diego. This action was taken against the company stores only and does not include independently owned Brake Depot franchises located in California.

The action seeking Automotive Repair Dealer (ARD) revocations was based on BAR's investigation, involving 20 undercover runs, which disclosed evidence of an ongoing

pattern of systematic oversell, fraud, and false representation.

BAR charged that Brake Depot, Inc. executed a classic "bait and switch" scam — luring unsuspecting consumers with an advertisement for a \$99.88 friction reline, with the intention of selling a more expensive service. Brake Depot, Inc. is also accused of routinely charging customers for parts and services never needed, an illegal practice BAR calls "oversell," as well as for parts never installed and services never performed.

This was not the first time BAR has taken action against a major repair

chain for oversell practices. In 1998, BAR filed charges against all 18 Econo Lube N' Tune company-owned stores located throughout the state. In July 1999, that case was settled, resulting in the revocation of ARD registrations for all 18 company-owned Econo Lube N' Tune facilities throughout California.

"Unscrupulous automotive repair dealers should note that there is no profit in coercing consumers — because the cost is high. We will revoke their license to do business in California," said California Department of Consumer Affairs Director Kathleen Hamilton. ■

Hearings Scheduled For Proposed Air Conditioning Regulations

Hearings to receive comments on proposed air conditioning regulations have been scheduled for January 2000 in Sacramento and Riverside. The regulations would provide for consistency in the use of freon substitutes, requiring shops to follow specific procedures when servicing and repairing air conditioning systems. In addition, minimum equipment requirements would be instituted for shops that provide air conditioning service and/or repair.

"These regulations are the result of working with various industry and government representatives to strengthen consumer and environmental protection," noted BAR Program Manager Allen Wood.

Last year, members of the auto air conditioning service and repair industry came to the Bureau of Automotive Repair expressing concerns about the lack of consistency in the air conditioning servicing arena. In response, BAR hosted three workshops, which were attended by various industry representatives, as

well as representatives from the United States Environmental Protection Agency and state and county weights and measures offices.

Any interested party may present statements or arguments orally or in writing relevant to the proposed regulations. The hearings are scheduled as follows:

January 10, 2000 — 10:00 a.m.

Department of Consumer Affairs
400 R Street
Hearing Room, Suite 1030
Sacramento, California

- and -

January 13, 2000 — 10:00 a.m.

Riverside State Building
3737 Main Street, Victoria Room
Riverside, California

Written comments must be received by the BAR at 10240 Systems Parkway, Sacramento, CA 95827, Attention: Miriam Townsend, no later than 5:00 p.m. on January 13, 2000, or may be received by BAR at the above-referenced hearings. ■

More Stringent NOx Cutpoints Implemented

New cutpoints, the emissions levels at which vehicles pass or fail their Smog Check inspections, have been set for oxides of nitrogen (NOx). The new NOx cutpoints were implemented effective October 4, 1999.

"The new NOx level requirements will increase the number of vehicles needing repairs and help the state move closer to meeting its emissions reduction goals," said Acting BAR Chief Patrick Dorais.

NOx control systems should be repaired to operate within the vehicle manufacturer's specifications. This will help ensure that NOx emissions are well below the cutpoints.

Further cutpoint reductions for all pollutants — hydrocarbons and carbon monoxide, as well as NOx — are still expected. ■

DISCOVERED A VEHICLE SAFETY DEFECT? ... Who Ya Gonna Call?

Shop owners or consumers who believe they have discovered a safety-related defect in a vehicle are urged to call the Department of Transportation's National Highway Traffic Safety Administration hotline at "DASH-2-DOT" (888-327-4236).

The hotline specializes in gathering information about safety problems in motor vehicles and equipment. In operation since 1975, the DOT Auto Safety Hotline is the Agency's single point of contact, where information can be obtained not only on vehicle safety defects, but also on child

safety seats, air bags, importation, certification, and motor vehicle safety.

To order posters, flyers, and other complimentary literature, visit www.nhtsa.dot.gov/hotline, and click on Outreach Program; or contact Gene Luke by phone at 703-734-7800 extension 279, by fax at 703-734-7808, or via e-mail at gluke@rsis.com. ■



Licensed Adjusters Needed to Update Brake and Lamp Exams

The Bureau of Automotive Repair will be updating the Brake and Lamp Adjuster examinations before implementation begins in May 2000.

"We will hold several workshops to evaluate the current exams and develop new questions," said George Adelsperger, manager of BAR's Standards and Training Branch. Licensed Adjusters participating in the workshops will write the questions with support from BAR and the Department of Consumer Affairs' Office of Examination Resources.

To be eligible to participate, adjusters must be currently licensed with a "clear" status (i.e., no unpaid citations or current disciplinary actions). Adjusters serving as Subject Matter Experts will be paid for their time and travel expenses.

Licensed Adjusters interested in participating should send a written communication notifying BAR of their interest — along with the following information: name, license number, and daytime telephone number — to any of the following:

- BAR Standards & Training Branch
10240 Systems Parkway
Sacramento CA 95827
- FAX: 916-255-4352
- StandardsTraining@dca.ca.gov
(please put "adjuster" in the subject of the e-mail.) ■

Please Pay Promptly! Delinquent Registrations May Be Canceled

The Department of Consumer Affairs/Bureau of Automotive Repair's Licensing Division reminds Automotive Repair Dealers (ARD) to pay license renewal fees punctually, and to provide prompt notification when no longer in business. Please mail your renewal payment at least four to six weeks prior to the date it expires to allow for timely processing.

Recent legislation gave the Bureau of Automotive Repair the authority to cancel ARD registrations that have been delinquent for more than 36 months. To resume business, an ARD owner would then

have to apply for a new registration, meet current registration requirements, and pay applicable delinquent fees.

ARDs that are no longer in business must alert the Licensing Division in writing so that the license can be canceled. Doing so will stop the compounding of renewal fees should the owner decide to reopen the business at a later date. Effective January 1, 1999, legislation required ARD owners renewing delinquent registration to pay all accrued renewal fees from past years, in addition to current renewal fees and a delinquency fee. ■

Better Service for BAR Customers

BAR Offices on the Move

Hayward Field Office Moved to Richmond

To better serve the Bay Area, the Hayward Bureau of Automotive Repair Field Office relocated to Richmond in September. The office's new address is 3260 Blume Drive, Suite 340, Richmond, CA 94806; the telephone number is 510-243-9410; and the fax number is 510-243-9440.

CPO Reestablished at the Bakersfield Office

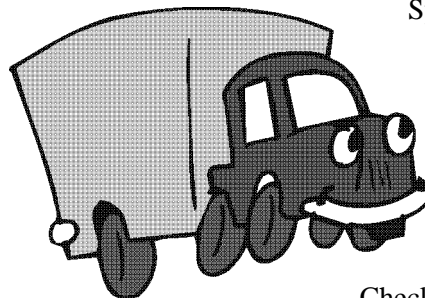
Consumer Protection Operations were reestablished at the Bakersfield Field Office in August, headed up by Joel Bilota, formerly with the Fresno Field Office. CPO phone and fax numbers are the same as the general Field Office: the telephone number is 661-833-6304, and the fax number is 661-833-0813.

BAR Executive Staff Moved to Systems Parkway Offices

The Bureau of Automotive Repair's Executive Office and its staff relocated to 10240 Systems Parkway, Sacramento, CA 95827 in September. Also located at this address are BAR Engineering, Smog Check Operations, Smog Check Enforcement, Consumer Protection Operations, and Standards and Training.

"This relocation enhances communication among BAR staff and increases our ability to better serve our customers," said Acting BAR Chief Patrick Dorais. "It also provides a unified structure and will result in management efficiencies."

BAR's new Executive Office phone number is 916-255-4565. ■



Disciplinary Actions

AZZ Engineering, Inc.

Chula Vista

John Titas — President

Order: ARD registration revoked. (5/24/99)

Aamco Transmissions

Glendale

Patrick Marcel Feurty — Owner

Order: ARD registration revoked. (4/15/99)

Alpine Auto Glass

Sacramento

Masoud Reza Pajouhesh — Owner

Order: ARD registration revoked; must pay BAR \$17,156 for investigation costs; pay \$500 restitution to Nationwide Insurance. (5/10/99)

BLT Glass, Inc., dba The Glass Doctor

San Diego

Bruce Lawrence Tisor — President

Order: ARD registration revoked; stayed; placed on three years probation on the following terms and conditions: registration suspended for three days; obey laws and regulations; post sign indicating dates of and reason for suspension; report to BAR on prescribed schedule; report any financial interest in any other automotive business; provide BAR representatives unrestricted access to inspect all vehicles undergoing repairs; pay BAR \$2,000 for investigation costs. (4/15/99)

C & C Glass Inc.

Chula Vista

George Comstock — President

Order: ARD registration revoked; stayed; placed on three years probation on the following terms and conditions: registration suspended five days; post sign indicating dates of and reason for suspension; obey laws and regulations; report to BAR on prescribed schedule; report financial interest in any other automotive repair business; pay BAR \$3,454 for investigation costs. (4/26/99)

Eckles Auto Body, Inc.

Whittier

Carlos Aurelio Sacchetto —

President

Order: ARD registration invalidated for six months; stayed; registration placed on two years probation on the following terms and conditions: obey laws and regulations; report to BAR on prescribed schedule; report financial interest in any other automotive repair business; pay BAR \$3,322 for investigation costs; pay \$427.96 restitution to Farmers Insurance. (7/19/99)

Golden Hammer Body Shop

Stockton

Jose Javier Ramirez — Owner

Order: ARD registration revoked. (5/28/99)

Le Truong Motor Corporation, dba C & M Body Shop

San Jose

Cuong Truong — President

Order: ARD registration revoked; stayed; placed on three years probation on the following terms and conditions: registration suspended for 45 days; comply with laws and regulations, report to BAR on prescribed schedule; report any financial interest in any automotive repair business; provide BAR representatives unrestricted access to inspect vehicles undergoing repairs; pay BAR \$15,703.68 for investigation costs. (3/19/99)

Marina Collision Specialty

Marina Del Rey

ASAP Road Service Inc.

Satenik Konstantinidis — President

Order: ARD registration permanently invalidated; pay \$25,843.07 to the BAR for investigation costs. (6/8/99)

Pacific Service, Inc., dba Pacific Service

Costa Mesa

James J. Maher — President

Order: ARD registration suspended for 30 days; pay \$5,000 to BAR for investigation costs. (6/8/99)

Purrfect Auto Service # 63

Anaheim

Tahmoures Keyomarsi — Owner

Order: ARD registration and Smog Check Station License revoked; stayed on the following terms and conditions: registration and license placed on three years probation and suspended for five days; post sign indicating dates and reason for suspension; obey laws and regulations; report to BAR on prescribed schedule; report financial interest in any other automotive repair business; provide BAR representatives unrestricted access to inspect all vehicles; pay BAR \$5,000 for investigation costs. (5/28/99)

R.K.M. Auto Service, Inc., dba Midas Muffler & Brake

San Leandro

Karin Ursula Buehler — President

Order: ARD registration revoked. (4/14/99)

Reseda MK Discount Center, Inc., dba Reseda MK Discount

Reseda

Shazad Fatemi — President

Order: ARD registration invalidated; stayed; placed on three years probation on the following terms and conditions: registration suspended for three days; post sign indicating dates of and reason for suspension; obey laws and regulations; report to BAR on prescribed schedule; report any financial interest in any automotive repair business; submit proposed invoices, work orders, or estimates to BAR at least 30 days prior to its use; retain and tag all parts replaced for at least 60 days. (4/9/99)

Conference

(continued from page 1)

training and education, improving recruitment, and raising the industry's professional image. Here's a status report on what's happened so far.

Recruitment Poster Developed

One of the issues concerned the pressing need to recruit qualified young people into the auto repair industry. The Coordinating Committee For Automotive Repair (CCAR) developed a poster as part of its Automotive Career Education Day materials (see "Governor Proclaims" on page 1). This poster can be used by any organization to recruit people into the field. In addition, any organization that wishes to use the poster can add its corporate or organization's name to it. The poster can be made available in various forms (e.g., camera ready, on disk, etc.) for a nominal charge to cover handling and shipping. For more information, contact CCAR at 913-498-1770.

Consumer Education and Outreach

A series of revolving consumer tips about auto repair are being developed for posting on the National Coalition for Consumer Education's (NCCE) website. Any auto-related company or organization with educational ideas is welcome to participate. The website will host consumer tips and link to organizations for more information. All consumer information must be objective and non-product or company specific. Sponsoring organizations will be noted. The Car Care council has already posted their tips. The site is linked to other consumer and government groups and agencies across the nation. For more information, contact Carole Glade at NCCE at 973-377-8987. ■

Governor

(continued from page 1)

vehicle repair — is one of the largest professional industries, employing more than five million people nationally and making up eight percent of the Gross National Product. However, as two million automobiles are added to U.S. highways each year, the number of qualified automotive repair technicians is dropping by as much as five percent — creating a national shortfall of about 60,000 technicians.

This shortage is expected to increase as vehicles become even more technically complex. Statistics suggest that more than 70 percent of the new automotive repair jobs created between 1995 and 2005 will require advanced technical training.

In September 1998, the California Department of Consumer Affairs/Bureau of Automotive Repair led a successful national conference in Anaheim to address the shortage of automotive repair technicians (see "Automotive Repair Conference" on page 1). The three challenges identified during that conference were recruiting young women and men into the automotive repair profession, increasing the industry's professional image, and training technicians in the skills needed for enhanced consumer satisfaction and quality.

To promote the high-tech aspect of "Automotive Career Education Day," DCA/BAR formally invited automotive education and training institutions, including high schools, community colleges, and vocational education providers, to participate in the Fourth Annual Satellite Career Fair. The fair, sponsored by the Coordinating Committee For Automotive Repair (CCAR), was available free of cost.

For more information, visit CCAR's website at www.ccar-greenlink.org. ■

Disciplinary Actions

(continued from previous page)

Tara Chevron Auto Service

San Jose

Mehdi Mehdipour - Owner

Order: ARD registration permanently invalidated; stayed; placed on three years probation on the following terms and conditions: registration suspended for 14 days; post sign indicating dates of and reason for suspension; obey laws and regulations; report to BAR prescribed schedule; report financial interest in any other automotive repair business; provide BAR representatives unrestricted access to inspect vehicles undergoing repairs; pay BAR \$5,000 for investigation costs. (6/7/99)

Towne & Country Autobody Inc.

San Fernando

Alexander Kahn - President

Order: ARD registration revoked. (3/26/99)

Turner Tune & Lube, Inc., dba Parkside Automotive (formerly All Tune & Lube)

Walnut Creek

David Richard Turner - President

Order: ARD registration and Smog Check Station license revoked; pay BAR \$5,000 for investigation costs. (3/10/99)

Western Express Lube & Oil Center

Los Angeles

Dae W. Nam - Owner

Order: ARD registration revoked; stayed; placed on probation for two years on the following terms and conditions: registration suspended for seven days; post sign indicating dates of and reason for suspension; obey laws and regulations; report to BAR on prescribed schedule; report financial interest in any other automotive repair business; provide BAR representatives unrestricted access to inspect vehicles undergoing repairs; pay BAR \$10,000 for investigation costs. (5/28/99)

Westside Auto Body

Fresno

Dave Medina, Owner

Order: ARD registration revoked. (3/11/99) ■

YOUR COMMENTS, PLEASE . . .

We would appreciate hearing from you! Either mail (postage paid) or fax (916-445-8796) your response.

1. Do you generally find the information presented in the Repair Reporter useful to you?

☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

2. Do you find the information easy to understand?

☐ Very Easy ☐ Easy ☐ Neutral ☐ Somewhat Difficult ☐ Difficult

3. Do you read the entire issue? ☐ Yes ☐ No

4. What industry publications do you read? _____

5. What subject would you most like to see in the next issue of the Repair Reporter? _____

Please check the personal usefulness of the following types of articles:

6. Industry trends: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

7. Appointee changes: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

8. Technical repair Q&A column: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

9. Profile repair employees/shops: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

10. Profile BAR personnel/dept.: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

11. Disciplinary actions: ☐ Very Useful ☐ Useful ☐ Neutral ☐ Somewhat Useful ☐ Not Useful

12. Other Comments: _____

FALL 1999

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SACRAMENTO CA 95814-9845**



Detach here.



State of California

Gray Davis, Governor

Department of Consumer Affairs

Kathleen Hamilton, Director

Bureau of Automotive Repair

Patrick Dorais, Acting Chief

10240 Systems Parkway

Sacramento, CA 95827

BAR FIELD OFFICE PHONE NUMBERS

Bakersfield (661) 833-6304

Canoga Park (818) 596-4400

Culver City (310) 410-0024

Fresno (559) 445-5015

Fullerton (714) 680-7851

Oceanside (760) 439-0942

Richmond (510) 243-9410

Riverside (909) 782-4250

Sacramento (916) 255-4200

San Jose (408) 277-1860

South El Monte (626) 575-6934

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REPAIR REPORTER

FALL 1999

New Legislation Takes Effect January 1, 2000

Following is a brief summary of new legislation that takes effect on January 1, 2000.

Assembly Bill 342 (Cox, Chapter 316)

Current law exempts certain types of businesses from having to be licensed as a Department of Motor Vehicles auto dismantler. This legislation limits the exemption for the Automotive Repair Dealer to those who only use dismantler parts for repairs performed at their own shop.

Assembly Bill, 509 (Calderon, Chapter 509)

Current law defines "automobile insurance" and what specific warranties or guaranties apply to the definition. This legislation excludes the promise of any manufacturer of automobile lubricants, treatments,

fluids, or additives to repair or replace an automobile or any part of the automobile if certain provisions apply.

Assembly Bill 1471 (Havice, Chapter 449)

This legislation prohibits any person from knowingly installing, reinstalling, distributing, or selling any previously deployed air bag that is part of an inflatable restraint system. A misdemeanor conviction is the penalty for those caught violating this prohibition.

Senate Bill 1288 (Murray, Chapter 355)

This legislation extends the validity period of a Smog Check certificate of compliance for licensed car dealers from 180 days to two years,

or until the vehicle is sold and registered to a retail buyer, whichever occurs first. This provision will expire on January 1, 2002 unless legislation is passed extending or limiting the sunset provision. Dealers will also be required to obtain smog certificates for all vehicles that are offered for retail sale.

Senate Bill 1307 (Committee on Business and Professions, Chapter 983)

This legislation clarifies who must be identified on an application for an ARD. In addition to current entities, any member or trustee who directly or indirectly controls or conducts the business must be identified on an ARD application. ■